

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

DOCKET NO.: 3:18cr82-RJC

UNITED STATES OF AMERICA	)	
	)	CONSENT ORDER FOR
v.	)	THIRD PARTY PETITION
	)	
(1) ANGELO MEJIA	)	
a/k/a/ "Lo"	)	
a/k/a/ "Los"	)	
a/k/a/ "Loco"	)	

THIS MATTER IS before the Court by consent of the United States of America and Petitioner Whitestone Financial ("Petitioner"), through counsel, pursuant to 21 U.S.C. § 853(n) and Fed. R. Crim. P. 32.2. The Government and Petitioner have consented to this Order as a final adjudication and settlement of all matters with regard to the following property ("the BMW") identified in the Order of Forfeiture (Doc. 167):

**One Black, 2006 BMW M5, VIN # WBSNB93536B583410.**

The parties have **STIPULATED AND AGREED** and the **COURT FINDS AS FOLLOWS:**

1. On or about January 29, 2015, Petitioner provided a loan in an original principal amount of \$14,158.54 advanced on behalf of Buyer Islam Osama Abdelrahman<sup>1</sup> to "First Quality Auto" for the purchase of the BMW. The Certificate of Title on the BMW reflects that Petitioner is the first and only lienholder. On November 16, 2018, Petitioner filed a Claim in a

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<sup>1</sup> Petitioner Whitestone did not file a Petition in this judicial case but did file a Claim in a related administrative forfeiture proceeding. The Government stipulates for purposes of Fed. R. Crim. P. 32.2 and 21 U.S.C. § 853(n) that, even though Petitioner did not file a Petition herein, this Court may treat Petitioner as a "petitioner" under Rule 32.2 and Section 853(n) for purposes of this Consent Order and resolution of this matter.

related administrative forfeiture proceeding. In that Claim, Petitioner asserted an interest, by virtue of the original loan, in the BMW. Petitioner asserted that it was owed a balance due in the amount of \$1,303.14. The parties have negotiated this Consent Order to resolve that administrative forfeiture Claim and the forfeiture of the BMW in this judicial proceeding.

2. The parties stipulate that Defendant has or had possessory interest in the BMW that is subject to forfeiture under the applicable statute, except that Petitioner's interest is recognized as identified herein. Any violations of applicable criminal statutes involving the BMW occurred without the knowledge and consent of Petitioner.

3. The Government agrees to, upon sale of the BMW, pay \$1720.06 plus \$0.7676 per diem after January 31, 2020 out of the net sale proceeds to Petitioner. The Government also agrees to pay \$1,000.00 in secured attorneys' fees incurred by Petitioner to-date out of the net sale proceeds. For purposes of this Consent Order, "net sale proceeds" shall include all proceeds remaining after the Government has paid all costs of making a key and the sale of the BMW. In no case shall the payment to Petitioner exceed the net sale proceeds of the BMW. Petitioner consents to final forfeiture of the BMW and agrees to execute all necessary paperwork in order to facilitate an expedited sale of the BMW upon issuance by this Court, if this Court deems such order appropriate, of a final order of forfeiture.

4. This Consent Order shall be in full settlement and satisfaction of all claims by Petitioner to the Property, all claims between Petitioner and the Government arising from any loan or note, the indebtedness for which is secured by the BMW, and all claims against the United States resulting from the incidents or circumstances giving rise to this case.

5. The Government and Petitioner waive any rights to further litigate between each other in this forfeiture action to the BMW and agree that this Consent Order for Third Party Claim shall be in full settlement and satisfaction of all claims between Petitioner and the Government in this action to the BMW and all claims between Petitioner and the Government resulting from the incidents or circumstances giving rise to the forfeiture of the BMW.

6. Unless specifically directed by an order of the Court, Petitioner shall be excused and relieved from further participation in this action.

IT IS THEREFORE ORDERED THAT:

1. Based upon the stipulations of the parties herein that Petitioner satisfies one or more prongs of 21 U.S.C. § 853(n), this Court hereby grants the Claim and orders the Government to, upon sale of the BMW, pay approximately \$1,720.06 in net sale proceeds plus \$.07676 per diem after January 31, 2020 and secured attorneys' fees in the amount of \$1,000.00 defined herein to Petitioner.
2. Except as provided herein, each party shall be responsible for its own costs and attorney's fees.

Signed: February 27, 2020



Robert J. Conrad, Jr.  
United States District Judge



ON MOTION OF AND BY CONSENT OF THE PARTIES:

**R. ANDREW MURRAY**  
**UNITED STATES ATTORNEY**

/s/ Benjamin Bain-Creed  
Benjamin Bain-Creed  
Assistant United States Attorney  
FL Bar 21436

Dated: February 21, 2020

**PETITIONER WHITESTONE FINANCIAL**

/s/ Jewel A. Farlow  
Jewel A. Farlow  
Attorney for Whitestone Financial  
NCSB No. 15849

Dated: February 20, 2020